

# EXHIBIT C

COPY OF PLEADING PROVIDED BY PLT

CAUSE NUMBER: 202019568

PLAINTIFF: RIVERA, RAUL C.

In the 113th Judicial

vs.

District Court of

DEFENDANT: ALLSTATE VEHICLE AND PROPERTY  
INSURANCE COMPANY

Harris County, Texas

## CITATION

THE STATE OF TEXAS  
County of Harris

TO: ALLSTATE INSURANCE AND PROPERTY INSURANCE COMPANY MAY BE SERVED BY SERVING ITS  
ATTORNEY FOR SERVICE CT CORPORATION SYSTEM  
1999 BRYAN STREET SUITE 900  
DALLAS TX 75201

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION.

This instrument was filed on March 26, 2020, in the above numbered and styled cause on the docket in the above Judicial District Court of Harris County, Texas, in the courthouse in the City of Houston, Texas. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

ISSUED AND GIVEN UNDER MY HAND and seal of said Court, at Houston, Texas, this March 30, 2020.

*Marilyn Burgess*

Marilyn Burgess, District Clerk  
Harris County, Texas  
201 Caroline, Houston, Texas 77002

Generated By: RHONDA MOMON

Issued at request of:  
Downey, Michael A  
3810 W. Alabama St.  
Houston, TX 77027  
713-714-0000

Bar Number: 24087445

Tracking Number: 73739092

CAUSE NUMBER: 202019568

PLAINTIFF: RIVERA, RAUL C.

In the 113th

vs.

Judicial District Court

DEFENDANT: ALLSTATE VEHICLE AND PROPERTY  
INSURANCE COMPANY

of Harris County, Texas

OFFICER/AUTHORIZED PERSON RETURN

Came to hand at \_\_\_\_\_ o'clock \_\_\_\_\_ M., on the \_\_\_\_\_ day of

Executed at (address) \_\_\_\_\_

in \_\_\_\_\_ County

at \_\_\_\_\_ o'clock \_\_\_\_\_ M., on the \_\_\_\_\_ day of

by delivering to \_\_\_\_\_ defendant,

in person, a true copy of this

Citation together with the accompanying \_\_\_\_\_ copy(ies) of the

attached thereto and I endorsed on said copy of the citation the date of delivery.

To certify which I affix my hand officially this \_\_\_\_\_ day of

FEE: \$ \_\_\_\_\_

County, Texas

By: \_\_\_\_\_

Agent

Deputy

On this day, \_\_\_\_\_, known to me to be  
the person whose signature  
appears on the foregoing return, personally appeared. After being by me duly sworn,  
he/she stated that this citation was executed by him/her in the exact manner recited  
on the return.

SWORN TO AND SUBSCRIBED BEFORE ME on this \_\_\_\_\_ of  
\_\_\_\_\_, 20 \_\_\_\_\_

Notary Public

**CAUSE NO. 2020-19568**

**RAUL C. RIVERA AND CARRIE S.  
RIVERA  
VS.**

**IN THE 113TH JUDICIAL DISTRICT COURT OF HARRIS COUNTY,  
TEXAS**

**ALLSTATE VEHICLE AND  
PROPERTY INSURANCE  
COMPANY, ET AL**

**AFFIDAVIT OF SERVICE**

BEFORE ME, the undersigned authority, Guy C. Connelly (SERVER), personally appeared on this day and stated under oath as follows:

1. My name is Guy C. Connelly (SERVER). I am over the age of eighteen (18), I am not a party to this case, and have no interest in its outcome. I am in all ways competent to make this affidavit and this affidavit is based on personal knowledge. The facts stated herein are true and correct. My business address is:

2701 W. 15th, Plano, TX 75075

(SERVER'S ADDRESS)

2. ON 4/1/20 (DATE) AT 10:00 (A) M (TIME)  
CITATION, PLAINTIFF'S ORIGINAL PETITION EXHIBIT A; EXHIBIT B; EXHIBIT C came to hand for delivery to ALLSTATE INSURANCE AND PROPERTY INSURANCE COMPANY BY SERVING ITS ATTORNEY, CT CORPORATION SYSTEM.

3. ON 4/1/20 (DATE) AT 10:10 (A) M (TIME) - The above named documents were delivered to: ALLSTATE INSURANCE AND PROPERTY INSURANCE COMPANY BY SERVING ITS ATTORNEY, CT CORPORATION SYSTEM by delivering to

Kim Hichower, Esq.  
(NAME AND TITLE), authorized agent for service @

1999 Bryan, Suite 900, Dallas, TX 75201

(ADDRESS), by CORPORATE Service

[Signature]  
SIGNATURE

PSC# 2201 EXPIRATION: 9/30/20

Guy C. Connelly

**AFFIANT PRINTED NAME**

SWORN TO AND SUBSCRIBED before me by Guy C. Connelly appeared on this 1 day of April, 2020 to attest witness my hand and seal of office.

[Signature]  
**NOTARY PUBLIC IN AND  
FOR THE STATE OF TEXAS**



2020.03.461790

CAUSE NO. 2020-19568

RAUL C. RIVERA AND CARRIE S.  
RIVERA,  
Plaintiffs,

IN THE DISTRICT COURT

v.

113TH JUDICIAL DISTRICT

ALLSTATE VEHICLE AND  
PROPERTY INSURANCE  
COMPANY AND FEBRA TINSLEY,  
Defendants.

HARRIS COUNTY, TEXAS

**DEFENDANTS' ORIGINAL ANSWER AND REQUEST FOR DISCLOSURE**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW ALLSTATE VEHICLE AND PROPERTY INSURANCE COMPANY AND FEBRA TINSLEY, Defendants in the above styled and numbered cause of action, and in response to the complaints filed against them, would respectfully show unto this Honorable Court and Jury as follows:

**I.****GENERAL DENIAL**

At this time, Defendants assert a general denial to Plaintiffs' Original Petition and all amended and/or supplemental petitions, as authorized by Rule 92, Texas Rules of Civil Procedure, and respectfully requests the Court and jury to require Plaintiffs to prove the claims, charges and allegations, by a preponderance of the evidence, as required by the Constitution and the laws of the State of Texas.

**II.****SPECIFIC DENIALS**

Plaintiffs' claims are barred or limited, in whole or in part, by policy exclusions and/or limitations which are listed in the policy made the basis of this suit.



Plaintiffs failed to comply with certain conditions precedent to the policy prior to filing this lawsuit.

Plaintiffs failed to allege conduct warranting imposition of exemplary or punitive damages under applicable state law.

Plaintiffs' claims are barred, in whole or in part, as the claimed damages were not caused by the alleged date of loss and/or alleged weather event, but by a preceding or subsequent loss, and Plaintiffs have not adequately segregated their damages.

Plaintiffs' claims are barred, in whole or in part, because the losses alleged by Plaintiffs were proximately caused in whole or in part by the fault, negligence, or failure to mitigate damages by Plaintiffs.

Defendants hereby give notice that it intends to rely upon such other defenses as may become available or apparent during the course of discovery and thus reserve the right to amend this answer.

### **III.**

Pursuant to Texas Rules of Civil Procedure, Defendants request that Plaintiffs disclose within thirty days of service of this request, the information and material described in Rule 194.2(a) through (l).

If this case was filed as an Expedited Action under TRCP 47(c)(1) and/or TRCP 190.2, Defendants further request disclosure of any and all documents, electronic information, and tangible items that you have in your possession, custody or control and which may be used to support your claims or defenses.

### **IV.**

Defendants formally request a jury trial pursuant to Rule 216 of the Texas Rules of Civil Procedure and tender the jury fee.

V.

**DESIGNATED E-SERVICE EMAIL ADDRESS**

The following is the undersigned attorney's designation of electronic service email address for all electronically served documents and notices, filed and unfiled, pursuant to Tex.R.Civ.P. 21(f)(2) & 21(a). (HoustonLegal@allstate.com). This is the undersigned's **ONLY** electronic service email address, and service through any other email address will be considered invalid.

WHEREFORE, PREMISES CONSIDERED, Defendants, ALLSTATE VEHICLE AND PROPERTY INSURANCE AND FEBRA TINSLEY, pray that the Plaintiffs recover nothing of and from the Defendants by reason of this suit, that Defendants be discharged without delay, with costs of court, and for such other and further relief, both general and special, at law and in equity, to which Defendants may be justly entitled, and for which Defendants will in duty bound, forever pray.

Respectfully submitted,

SUSAN L. FLORENCE & ASSOCIATES



**KIMBERLY BLUM**

TBN: 24092148

811 Louisiana St Ste 2400  
Houston, TX 77002-1401  
HoustonLegal@allstate.com  
(713) 336-2812  
(877) 684-4165 (fax)

ATTORNEY FOR DEFENDANTS

**CERTIFICATE OF SERVICE**

Pursuant to Rules 21. and 21a. of the Texas Rules of Civil Procedure, I hereby certify that the original of Defendants' Original Answer has been filed with the clerk of the court in writing, and a true and correct copy of Defendants' Original Answer has been delivered to all interested parties on the 22<sup>nd</sup> day of April, 2020, to:

Michael A. Downey  
State Bar No. 24087445  
MOSTYN LAW  
3810 West Alabama Street  
Houston, Texas 77027  
Telephone (713) 714-0000  
Facsimile (713) 714-1111  
[MADDocketEfile@mostynlaw.com](mailto:MADDocketEfile@mostynlaw.com)

ATTORNEY FOR PLAINTIFFS

***VIA E-SERVE***



**KIMBERLY BLUM**



Tracking Number: 73739090

CAUSE NUMBER: 202019568

PLAINTIFF: RIVERA, RAUL C.

In the 11th

vs.

Judicial District Court

DEFENDANT: ALLSTATE VEHICLE AND PROPERTY  
INSURANCE COMPANY

of Harris County, Texas

## OFFICER/AUTHORIZED PERSON RETURN

Came to hand at 4:13pm o'clock APRIL M., on the 8 day of 2020.Executed at (address) \_\_\_\_\_  
in MOBILE County  
at 3:16pm o'clock \_\_\_\_\_ on the 14 day of APRIL, 20 20.by delivering to FEBRA TINSLEY defendant,  
in person, a true copy of this  
Citation together with the accompanying \_\_\_\_\_ copy(ies) of the  
EXHIBIT A, B & C & PLAINTIFFS ORIGINAL Petition  
attached thereto and I endorsed on said copy of the Citation the date of delivery.To certify which I affix my hand officially this 17 day of APRIL, 20 20.

FEE: \$ \_\_\_\_\_

Special Process Server

of \_\_\_\_\_

County, MOBILE COUNTY, ALABAMA[Signature]  
AffiantBy: LEE DELWACH/SPSDeputyOn this day, LEE DELWACH, known to me to be  
the person whose signature  
appears on the foregoing return, personally appeared. After being by me duly sworn,  
he/she stated that this citation was executed by him/her in the exact manner recited  
on the return.SWORN TO AND SUBSCRIBED BEFORE ME on this 17 of April, 20 20[Signature]  
Notary PublicANTHONY M. HELFERICH  
NOTARY PUBLIC, ALABAMA STATE AT LARGE  
MY COMMISSION EXPIRES MAR. 21, 2023

Receipt Number: 862552  
Tracking Number: 73739090

COPY OF PLEADING PROVIDED BY PLT

CAUSE NUMBER: 202019568

---

PLAINTIFF: RIVERA, RAUL C. In the 113th Judicial  
vs. District Court of  
DEFENDANT: ALLSTATE VEHICLE AND PROPERTY Harris County, Texas  
INSURANCE COMPANY

---

CITATION

THE STATE OF TEXAS  
County of Harris

TO: TINSLEY, FEBRA  
9911 WHITEHURST DR APT 515  
DALLAS TX 75243

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION.

This instrument was filed on March 26, 2020, in the above numbered and styled cause on the docket in the above Judicial District Court of Harris County, Texas, in the courthouse in the City of Houston, Texas. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

ISSUED AND GIVEN UNDER MY HAND and seal of said Court, at Houston, Texas, this March 30, 2020.



*Marilyn Burgess*

Marilyn Burgess, District Clerk  
Harris County, Texas  
201 Caroline, Houston, Texas 77002

Generated By: RHONDA MOMON

Issued at request of:  
Downey, Michael A  
3810 W. Alabama St.  
Houston, TX 77027  
713-714-0000

Bar Number: 24087445

---

Tracking Number: 73739090

CAUSE NUMBER: 202019568

PLAINTIFF: RIVERA, RAUL C.

vs.

DEFENDANT: ALLSTATE VEHICLE AND PROPERTY  
INSURANCE COMPANY

In the 113th  
Judicial District Court  
of Harris County, Texas

OFFICER/AUTHORIZED PERSON RETURN

Came to hand at \_\_\_\_\_ o'clock \_\_\_\_\_ M., on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Executed at (address) \_\_\_\_\_  
in \_\_\_\_\_ County  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M. on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

by delivering to \_\_\_\_\_ defendant,  
in person, a true copy of this  
Citation together with the accompanying \_\_\_\_\_ copy(ies) of the  
\_\_\_\_\_ Petition  
attached thereto and I endorsed on said copy of the Citation the date of delivery.

To certify which I affix my hand officially this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

FEE: \$ \_\_\_\_\_  
\_\_\_\_\_ of \_\_\_\_\_

County, Texas

\_\_\_\_\_  
Affiant By: \_\_\_\_\_ Deputy

On this day, \_\_\_\_\_, known to me to be  
the person whose signature  
appears on the foregoing return, personally appeared. After being by me duly sworn,  
he/she stated that this citation was executed by him/her in the exact manner recited  
on the return.

SWORN TO AND SUBSCRIBED BEFORE ME on this \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public

Receipt Number: 862552  
Tracking Number: 73739092

**COPY OF PLEADING PROVIDED BY PLT**

CAUSE NUMBER: 202019568

---

PLAINTIFF: RIVERA, RAUL C. In the 113th Judicial  
vs. District Court of  
DEFENDANT: ALLSTATE VEHICLE AND PROPERTY Harris County, Texas  
INSURANCE COMPANY

---

CITATION

THE STATE OF TEXAS  
County of Harris

TO: ALLSTATE INSURANCE AND PROPERTY INSURANCE COMPANY MAY BE SERVED BY SERVING ITS  
ATTORNEY FOR SERVICE CT CORPORATION SYSTEM  
1999 BRYAN STREET SUITE 900  
DALLAS TX 75201

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION.

This instrument was filed on March 26, 2020, in the above numbered and styled cause on the docket in the above Judicial District Court of Harris County, Texas, in the courthouse in the City of Houston, Texas. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

ISSUED AND GIVEN UNDER MY HAND and seal of said Court, at Houston, Texas, this March 30, 2020.



*Marilyn Burgess*

Marilyn Burgess, District Clerk  
Harris County, Texas  
201 Caroline, Houston, Texas 77002

Generated By: RHONDA MOMON

Issued at request of:  
Downey, Michael A  
3810 W. Alabama St.  
Houston, TX 77027  
713-714-0000

Bar Number: 24087445

Tracking Number: 73739092

CAUSE NUMBER: 202019568

PLAINTIFF: RIVERA, RAUL C.

vs.

DEFENDANT: ALLSTATE VEHICLE AND PROPERTY  
INSURANCE COMPANY

In the 113th  
Judicial District Court  
of Harris County, Texas

OFFICER/AUTHORIZED PERSON RETURN

Came to hand at \_\_\_\_\_ o'clock \_\_\_\_\_ M., on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Executed at (address) \_\_\_\_\_  
in \_\_\_\_\_ County  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M., on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

by delivering to \_\_\_\_\_ defendant,  
in person, a true copy of this  
Citation together with the accompanying \_\_\_\_\_ copy(ies) of the  
\_\_\_\_\_ Petition  
attached thereto and I endorsed on said copy of the Citation the date of delivery.

To certify which I affix my hand officially this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

FEE: \$ \_\_\_\_\_  
\_\_\_\_\_ of \_\_\_\_\_

County, Texas

\_\_\_\_\_  
Affiant

By: \_\_\_\_\_  
Deputy

On this day, \_\_\_\_\_, known to me to be  
the person whose signature  
appears on the foregoing return, personally appeared. After being by me duly sworn,  
he/she stated that this citation was executed by him/her in the exact manner recited  
on the return.

SWORN TO AND SUBSCRIBED BEFORE ME on this \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public

Receipt Number: 862552  
Tracking Number: 73739092

COPY OF PLEADING PROVIDED BY PLT

CAUSE NUMBER: 202019568

PLAINTIFF: RIVERA, RAUL C.

In the 113th Judicial

vs.

District Court of

DEFENDANT: ALLSTATE VEHICLE AND PROPERTY  
INSURANCE COMPANY

Harris County, Texas

CITATION

THE STATE OF TEXAS  
County of Harris

TO: ALLSTATE INSURANCE AND PROPERTY INSURANCE COMPANY MAY BE SERVED BY SERVING ITS  
ATTORNEY FOR SERVICE CT CORPORATION SYSTEM  
1999 BRYAN STREET SUITE 900  
DALLAS TX 75201

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION.

This instrument was filed on March 26, 2020, in the above numbered and styled cause on the docket in the above Judicial District Court of Harris County, Texas, in the courthouse in the City of Houston, Texas. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

ISSUED AND GIVEN UNDER MY HAND and seal of said Court, at Houston, Texas, this March 30, 2020.



*Marilyn Burgess*

Marilyn Burgess, District Clerk  
Harris County, Texas  
201 Caroline, Houston, Texas 77002

Generated By: RHONDA MOMON

Issued at request of:  
Downey, Michael A  
3810 W. Alabama St.  
Houston, TX 77027  
713-714-0000

Bar Number: 24087445



Tracking Number: 73739092

CAUSE NUMBER: 202019568

PLAINTIFF: RIVERA, RAUL C.

In the 113th

vs.

Judicial District Court

DEFENDANT: ALLSTATE VEHICLE AND PROPERTY  
INSURANCE COMPANY

of Harris County, Texas

OFFICER/AUTHORIZED PERSON RETURN

Came to hand at \_\_\_\_\_ o'clock \_\_\_\_\_ M., on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Executed at (address) \_\_\_\_\_  
in \_\_\_\_\_ County  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M., on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

by delivering to \_\_\_\_\_ defendant,  
in person, a true copy of this  
Citation together with the accompanying \_\_\_\_\_ copy(ies) of the  
\_\_\_\_\_ Petition  
attached thereto and I endorsed on said copy of the citation the date of delivery.

To certify which I affix my hand officially this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

FEE: \$ \_\_\_\_\_  
\_\_\_\_\_ of \_\_\_\_\_

County, Texas

By: \_\_\_\_\_  
Affiant Deputy

On this day, \_\_\_\_\_, known to me to be  
the person whose signature  
appears on the foregoing return, personally appeared. After being by me duly sworn,  
he/she stated that this citation was executed by him/her in the exact manner recited  
on the return.

SWORN TO AND SUBSCRIBED BEFORE ME on this \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_

Notary Public

**CAUSE NO. 2020-19568**

**RAUL C. RIVERA AND CARRIE S.  
RIVERA  
VS.**

**IN THE 113TH JUDICIAL DISTRICT COURT OF HARRIS COUNTY,  
TEXAS**

**ALLSTATE VEHICLE AND  
PROPERTY INSURANCE  
COMPANY, ET AL**

**AFFIDAVIT OF SERVICE**

BEFORE ME, the undersigned authority, Guy C. Connelly (SERVER), personally appeared on this day and stated under oath as follows:

1. My name is Guy C. Connelly (SERVER). I am over the age of eighteen (18), I am not a party to this case, and have no interest in its outcome. I am in all ways competent to make this affidavit and this affidavit is based on personal knowledge. The facts stated herein are true and correct. My business address is:

2701 W. 15th, Plano, TX 75075

(SERVER'S ADDRESS)

2. ON 4/1/20 (DATE) AT 10:00 (A) M (TIME)  
CITATION, PLAINTIFF'S ORIGINAL PETITION EXHIBIT A; EXHIBIT B; EXHIBIT C came to hand for delivery to ALLSTATE INSURANCE AND PROPERTY INSURANCE COMPANY BY SERVING ITS ATTORNEY, CT CORPORATION SYSTEM.

3. ON 4/1/20 (DATE) AT 10:10 (A) M (TIME) - The above named documents were delivered to: ALLSTATE INSURANCE AND PROPERTY INSURANCE COMPANY BY SERVING ITS ATTORNEY, CT CORPORATION SYSTEM by delivering to

Kim Hichower, Esq.  
(NAME AND TITLE), authorized agent for service @

1999 Bryan, Suite 900, Dallas, TX 75201

(ADDRESS), by CORPORATE Service

[Signature]  
SIGNATURE

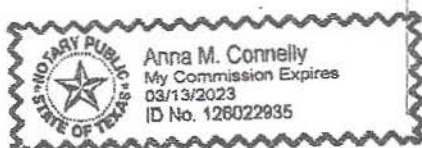
PSC# 2201 EXPIRATION: 9/30/20

Guy C. Connelly

**AFFIANT PRINTED NAME**

SWORN TO AND SUBSCRIBED before me by Guy C. Connelly appeared on this 1 day of April, 2020 to attest witness my hand and seal of office.

[Signature]  
**NOTARY PUBLIC IN AND  
FOR THE STATE OF TEXAS**



2020.03.461790